

REMARKS/ARGUMENTS

Claims 1, 2, 4-7, 9, 12-17, 23, 24, 27, 28 and 30 are pending. Claims 1, 7, 12, 14-17, 27, 28 and 30 are amended.

In section 2 on pages 2-6, the Office Action rejects claims 1, 2, 4-7, 9, 15-17, 27, 28 and 30 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,477,176 to Hamalainen (hereinafter "Hamalainen"). This rejection is respectfully traversed.

Claims 1 and 7 recite that, "at least one frame of the output stream comprises both real-time data and non-real-time packet data." Claims 15-17, 27, 28 and 30 contain similar recitations.

This subject matter was argued in the Amendment filed September 6, 2006. In section 7 on pages 8-9, the Office Action correctly concedes that Hamalainen does not disclose, teach or suggest the above-quoted subject matter in combination with the other subject matter recited in the rejected claims. In section 7, the Office Action explains that the reason for maintaining the rejection is that the subject matter previously argued was not explicitly recited in the rejected claims. It is respectfully submitted that the distinction between the invention and Hamalainen correctly conceded by the Office Action is now clearly expressly recited in the rejected claims.

Claims 2 and 4-6 depend from claim 1. Claim 9 depends from claim 7. It is respectfully submitted that these dependent claims are allowable based at least on their dependence from independent claims 1 and 7 for the reasons stated above in connection with claims 1 and 7.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1, 2, 4-7, 9, 15-17, 27, 28 and 30 as allegedly being anticipated by Hamalainen be withdrawn.

In section 4 on page 6, the Office Action rejects claims 12 and 13 under 35 U.S.C. §103(a) as allegedly being unpatentable over Hamalainen. This rejection is respectfully traversed.

Claim 12 recites that, "at least one frame of the single output data stream comprises all three types of data." It is respectfully submitted that Hamalainen does not disclose, teach or suggest this subject matter for at least the reasons discussed above in connection with the rejection of claims, 1, 2, 4-7, 9, 15-17, 27, 28 and 30 as allegedly being anticipated by Hamalainen.

Claim 13 is allowable based at least on its dependence from claim 12.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 12 and 13 as allegedly being unpatentable over Hamalainen be withdrawn.

In section 5 on page 7, the Office Action rejects claim 14 under 35 U.S.C. §103(a) as allegedly being unpatentable over Hamalainen in view of U.S. Patent No. 5,341,397 to Gudmundson. This rejection is respectfully traversed.

Claim 14 recites that, "at least one frame of the output stream comprises both real time data and non-real-time packet data, and the at least one frame defining a single transmission." As discussed above, Hamalainen does not disclose, teach or suggest this subject matter. It is respectfully submitted that Gudmundson fails to overcome this deficiency in Hamalainen.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 14 as allegedly being unpatentable over Hamalainen in view of Gudmundson be withdrawn.

In section 6 on pages 7-8, the Office Actions rejects claims 23 and 24 as allegedly being unpatentable over Hamalainen in view of U.S. Patent No. 6,393,000 to Feldman. This rejection is respectfully traversed.

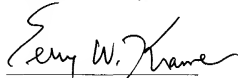
Claims 23 and 24 are allowable based at least on their dependence from claims 2 and 7 for the reasons stated above in connection with the rejection of claims 2 and 7. It is respectfully submitted that Feldman fails to overcome the deficiencies in Hamalainen described above.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 23 and 24 as allegedly being unpatentable over Hamalainen be withdrawn.

Conclusion

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the correspondence attorney listed below in order to expeditiously resolve any outstanding issues.

Respectfully submitted,
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